

## **REMARKS**

In the Office Action mailed June 9, 2005, the Examiner rejected claims 1 and 2 under 35 U.S.C. 102(b) as being anticipated by Carroll (U.S. Patent No. 5,462,116).

In view of the remarks that follow, Applicants respectfully traverse the Examiner's rejections of the claims under 35 U.S.C. §§ 102.

### **Rejection Under 35 U.S.C. § 102**

In order to properly anticipate Applicants' claimed invention under 35 U.S.C. § 102, each and every element of the claim in issue must be found, either expressly described or under principles of inherency, in a single prior art reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in...the claim." See M.P.E.P. § 2131 (8<sup>th</sup> Ed., Rev. 3, Aug. 2005), quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir. 1989). Finally, "[t]he elements must be arranged as required by the claim." § 2131 (8<sup>th</sup> ed., 2005), p. 2100-76.

### **Carroll**

The Examiner rejected claims 1 and 2 under 35 U.S.C. 102(b) as being anticipated by Carroll. Applicants respectfully traverse this rejection, since Carroll fails to teach each and every element of the claims.

Claim 1 recites "[a] method of desorbing methane or gas from a coal formation, comprising: providing a sonic device, positioning the sonic device into or adjacent a wellbore of the coal formation, producing a sonic or mechanical vibration in a media located near the coal formation to thereby induce desorption of the methane or gas from the coal formation, wherein the media is a wellcasing."

Applicants respectfully submit that Carroll does not disclose or suggest at least the combination of steps in claim 1. For example, the reference does not disclose or suggest that desorbing methane includes the steps of “producing a sonic or mechanical vibration in a wellcasing located near the coal formation to thereby induce desorption of the methane or gas from the coal formation,” as recited in claim 1.

For at least the foregoing reasons, Applicants submit that claim 1 is not anticipated by Carroll.

Claim 2 recites “ [a] device for desorption of methane or gas from a coal formation, comprising; a first mechanical vibrating means for directly or indirectly producing a first mechanical vibration in or adjacent a wellbore of the coal formation, a second mechanical vibrating means for directly or indirectly producing a second mechanical vibration in or adjacent the wellbore of the coal formation, wherein the vibrating means produce the vibrations to propagate into the coal formation and interact to produce an interference within the coal formation and thereby desorb the methane or gas from the coal formation.”

Applicants respectfully submit that Carroll does not disclose or suggest at least the combination of elements in claim 2. For example, the reference does not disclose or suggest that a device for the desorption of methane includes “a first mechanical vibrating means, and a second mechanical vibrating means” which “interact to produce an interference within the coal formation,” as recited in claim 2.

For at least the foregoing reasons, Applicants submit that claim 2 is not anticipated by Carroll.

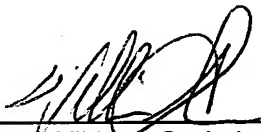
### CONCLUSION

Since each of the claims is allowable, Applicants respectfully request the timely allowance of this application.

If an extension of time under 37 C.F.R. § 1.136 is required to obtain entry of this Amendment, such extension is requested.

Respectfully submitted,

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